

# Clarke County

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## PLANNING COMMISSION BRIEFING MEETING MINUTES TUESDAY, MARCH 1, 2016



A briefing meeting of the Planning Commission of Clarke County, Virginia, was held at the Berryville/Clarke County Government Center, Berryville, Virginia, on Tuesday, March 1, 2016.

### ATTENDANCE

**Present:** Anne Caldwell; Robina Bouffault; Randy Buckley; Douglas Kruhm; Frank Lee; Gwendolyn Malone; Jon Turkel; Cliff Nelson; Mary Daniel (arrived late)

**Absent:** George L. Ohrstrom, II; Scott Kreider

**Staff Present:** Brandon Stidham, Planning Director; Ryan Fincham, Senior Planner/Zoning Administrator

**Others Present:** Jeremy Tweedie (Greenway Engineering)

### CALLED TO ORDER

Vice Chair Caldwell called the meeting to order at 3:00.

### AGENDA

Members voted to approve the agenda as presented.

**Yes:** Caldwell, Bouffault, Buckley, Kruhm (seconded), Lee, Malone, Turkel, Nelson (moved)

**No:** None

**Absent:** Ohrstrom, Kreider, Daniel

Prior to reviewing the items for the March 4 meeting, Mr. Stidham noted that there is a risk of snow on the 4<sup>th</sup>. He proposed an alternate meeting date of March 11 in the event that the March 4 meeting has to be cancelled, and the members agreed by consensus with this plan. Mr. Stidham said that Staff would try to make a decision on the meeting by Thursday and will call and email the members if the meeting is cancelled.

Mr. Fincham reviewed the Byron Timberlake minor subdivision application (MS-16-02/MLSE 16-01). Mr. Buckley noted that he has a conflict with this application and will abstain from voting on it. Ms. Bouffault asked why the surveyor could not find an additional quarter of an acre to bring the total area of the proposed lot to 20 acres. Mr. Fincham said that Staff's interpretation of the ordinance allows the proposed lot to be under 20 acres but he did ask the applicant if they would be willing to increase the lot size to 20 acres. The applicant responded that the proposed lot was intentionally

below 20 acres in size due to financing issues with the parcel. Ms. Bouffault asked if the applicant could provide additional information on this issue. Mr. Lee noted that mortgage lenders often do not allow conventional financing on parcels 20 acres or larger. Mr. Kruhm asked if an easement will be provided for the access driveway and Mr. Fincham replied yes.

Ms. Daniel entered the meeting at 3:16.

Mr. Stidham reviewed the Hecate Energy special use permit and site plan application. Mr. Stidham noted that there are a significant number of documents and reports associated with this application and oversize copies of plan documents that are not easily reproduced at smaller sizes. He said that he will provide PDF versions of all documents but will only print out key documents for the meeting packets. He added that Staff can provide hard copies of any documents or reports that individual commissioners would like to have and also asked which commissioners would like to have full-size copies of the site plan. Mr. Lee indicated that he would like to have full-size plan sets.

Ms. Bouffault asked for clarification on the area of the panel field for the first phase of the project. Mr. Stidham replied that the total area of the panel field is 150 acres.

Mr. Stidham introduced Jeremy Tweedie, engineer representing the applicant, and asked him to provide an overview of their position on the need for stormwater management on the subject property. Mr. Turkel asked about the term, "solution activity," as it relates to the site. Mr. Tweedie said that increased infiltration of runoff could result in increased Karst activity and that the County's Karst engineer has recommended ongoing monitoring of this concern. Ms. Caldwell noted the number of posts that would be installed to support the solar panels and asked whether this would allow for increased penetration of runoff into the ground. Mr. Turkel asked if the posts would be pile-driven or drilled. Mr. Tweedie replied that it would be a combination of methods driven by the shale and limestone areas. Mr. Nelson asked for dimensions of the support structures and Mr. Tweedie said that he would get that information for him. He added that the maximum length of a support beam would be 283 feet and that posts would be installed every 11 feet. Mr. Lee asked what would be used for backfill in areas that would be drilled. Mr. Tweedie said that he would get that information. Mr. Lee added that this would contribute to infiltration.

Mr. Stidham noted that Dan Rom has completed his review of the Karst plan and recommends that annual inspections be conducted to identify any potential new solution activity. Mr. Kruhm asked who would review these reports. Mr. Stidham replied that a recommended condition would be provided specifying when the reports need to be provided, and they would be forwarded to Dan Rom for review.

Mr. Stidham provided an overview of the state law passed in 2014 by the General Assembly that preempted machinery and tools taxation of solar facilities 20MW and smaller. He noted that there is a bill currently under review by the General Assembly would restore some of the taxation authority but only on future projects that have not reached certain levels in the permitting process. The Hecate Energy project would not be subject to the proposed bill. Mr. Stidham also reviewed items of concern that have been identified by Staff at this stage of the review.

Mr. Kruhm stated that he recently passed by a solar facility in North Carolina and noted how visible it was from adjacent properties. He added that ensuring this facility is effectively screened is very important. Ms. Bouffault asked how the landscaping plan would be addressed. Mr. Stidham said that Staff would conduct a field inspection with Hecate to determine the ideal locations for landscaping to provide effective screening. Mr. Tweedie noted that it would be more practical to use evergreens instead of deciduous trees since the primary goal is to create a dense vegetated screen. Mr. Kruhm asked about fencing to keep wildlife out of the facility. Mr. Tweedie said that perimeter fencing would be installed at a 5 foot height with a one foot section installed at a 45 degree angle. Barbed wire may be installed at the top of the fence. Mr. Stidham said that the site plan committee members could also participate in finalizing the landscaping plan.

Mr. Tweedie noted that Hecate is aware of the taxation issue and would like to provide some kind of contribution in order to account for this. Mr. Stidham said that the County and Georgetown University agreed to a payment in lieu of taxes approach for the meeting facility on the mountain. Ms. Caldwell said that the taxation issue is really one for the Board of Supervisors to consider and that the Commission should focus on the other issues with this request.

Regarding the appointment of component plan update subcommittees, Mr. Stidham reviewed the list of members that have expressed interest in participating. He said that Chair Ohrstrom will not be at the Friday meeting but that the members could reach a consensus on this composition and the Chair can make the final appointments at a later date.

#### **Old Business Items**

None.

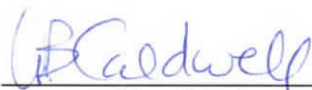
#### **New Business Items**

None.

#### **Other Business**

Mr. Stidham provided updates on the Telecommunications Subcommittee's activities and the Berryville Area Plan update process.

Upon motion by Mr. Nelson, seconded by Ms. Malone, the meeting was adjourned at 3:51PM.



Anne Caldwell, Vice-Chair



Brandon Stidham, Planning Director